



North Carolina Department of Environment and Natural Resources

Dexter Matthews, Director

Division of Waste Management

Beverly Eaves Perdue, Governor
Dee Freeman, Secretary

July 25, 2012

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Patrick & Eric Gann
Gann Brothers Septic Tank Service, Inc.
191 Percy Lane
Mayodan, NC 27027

SUBJECT: **Notice of Violation**
 Gann Brothers Septic Tank Service, Inc.
 SLAS-79-04
 SR#1166 in Rockingham County

Dear Messers. Gann:

On January 11, 2012, Ms. Connie S. Wylie, with the State of North Carolina, Division of Waste Management Solid Waste Section, received the application for renewal of septage land application site permit# SLAS-79-04. Upon review of the submitted documents, the following violation was noted:

A. 15A NCAC 13B .0838(a)(18) states "Approved nutrient management plan shall be followed". The approved nutrient management plan lists the approximate monthly discharge rate to match the nitrogen needs and potential uptake of the crop. Upon review of the submitted septage land application logs for April 2007 until December 2011, it was noted that the permitted monthly application rate was exceeded on a field basis several times. For Field 1, the monthly application rate was exceeded in August 2007 and July 2009. For Field 2, the monthly application rate was exceeded in July 2007, June 2010, August 2010 and January 2011.

COMPLIANCE SCHEDULE

Based upon the foregoing, Gann Brothers Septic Tank Service, Inc. shall immediately come into compliance with all requirements of the applicable regulations in 15A NCAC 13B .0838(a)(18) by completing the following:

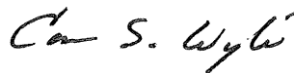
A. Gann Brothers Septic Tank Service, Inc. shall ensure that the monthly application rates along with the maximum annual application rate are not exceeded on a field or site basis.

Gann Brothers Septic Tank Service, Inc. shall provide written certification on company letterhead confirming the noted compliance schedule has been completed. Include in this certification any actions taken to prevent these deficiencies from occurring in the future. Mail this certification to Connie S. Wylie at 1646 Mail Service Center, Raleigh, NC 27699-1646 with 14 days of receipt of this notice.

Failure to comply with this schedule may subject the facility and/or all responsible parties to enforcement actions including penalties, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions please contact me at (910) 433-3352 or e-mail connie.wylie@ncdenr.gov.

Sincerely,

A handwritten signature in cursive script that reads "Connie S. Wylie".

Connie S. Wylie
Soil Scientist
Solid Waste Section

Cc: Martin Gallagher, Branch Head